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Statute To Prevent Discrimination Construed/Emergency Clauses/Local Organizations

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him more consideration, for it permits an appeal from the decision of the Bureau, whereas, IF AN AWARD IS MADE in a regular claim the insured employer is bound by it—no matter how much in error the Commissioners may be in allowing it. Likewise, a claimant has no recourse except an application for reopening, unless his claim was dismissed.

Another inconsistency is presented in the provisions of the law, which specify that the Bureau, in its determinations, shall not be bound by the usual rules of evidence but shall proceed informally, simply and speedily; but if there is an appeal, then the rules of civil procedure shall govern. It is our contention that the procedure should be the same in both instances, and that a review, rather than an appeal, would supply the best method of correcting erroneous determinations of the Bureau.

EDUCATIONAL STANDARDS ADOPTED

The following recommendations of the Committee on Legal Education and Admission were adopted at the Grand Forks meeting, just closed:

1. That after the year 1931 no person shall be admitted to the Bar in this State who, in addition to present requirements as to citizenship and good character, and a three year term of study in a law office or law school, is not twenty-one years of age and has not had at least two full years of study in an accredited college, normal school or university, beyond the high school grades, which course of study shall include a complete course in English Literature, in American and English History, Economics and Civil Government.

2. That commencing with the year 1929 all students registering for study in any law office in this State shall submit to the State Bar Board satisfactory proof of citizenship, age and good moral character, and of pre-legal education, sufficient to show that the applicant has all the requirements for admission to the Bar upon the completion of his law course.

3. That all students matriculating at the College of Law of the University of North Dakota who expect to practice law in this State shall make a similar application for registration as law students with the State Bar Board at the time of matriculation.

4. That steps be taken to see that appropriate legislation be enacted at our next session of the Legislature putting an end to the illegal practice of law by bank employees, real estate, loan and collection agents, and any others not duly admitted and licensed to practice.

STATUTE TO PREVENT DISCRIMINATION CONSTRUED

The U. S. Supreme Court, in *Fairmont Creamery Co. vs. Minnesota*, 47 Supreme Court Reports 506, construed the Minnesota statute which reads as follows: "Any person, firm co-partnership or corporation engaged in the business of buying milk, cream or butterfat for manufacture or the sale of such milk, cream or butterfat, who shall discriminate between different sections, localities, communities or cities of this State, by purchasing such commodity at a higher price or rate in one locality than is paid for the same commodity by said person, firm, co-partnership or corporation in another locality, after making due allowance for the difference, if any, in the actual cost of transpor-

tation from the locality of purchase to the locality of manufacture or locality of sale of such milk, cream or butterfat, shall be deemed guilty of unfair discrimination;" and held it to be an unconstitutional means of preserving competition and preventing monopoly. Said the Court: "We think the inhibition of the statute has no reasonable relation to the anticipated evil—high bidding by some with purpose to monopolize or destroy competition. Looking through form to substance, it clearly and unmistakably infringes private rights whose exercise does not ordinarily produce evil consequences, but the reverse."

EMERGENCY CLAUSES

President McIntyre, in his annual address this month, made this rather pertinent statement before proceeding with the main part of his address:

"I am constrained to suggest that when our legislature passes an act which materially changes an existing law, or which establishes some new right or alters a law of procedure, that greater care should be used in attaching the emergency clause. This is particularly true when it is usually impossible to procure a copy of the laws passed for several months after the adjournment of the legislative session. One example of the abuse of the emergency clause is sufficient to emphasize the evil to which I refer. Chapter 143 of the Laws of 1927 materially changes the manner of service of notice of intention to foreclose real estate mortgages, and we find an emergency clause attached. How it can be contended that facts existed creating a public emergency so as to require this amended act to go into effect four months or so before the contents of the law were available to the profession, I leave to your imagination."

LOCAL ORGANIZATIONS

The Committee on Local Organization of the Bar, F. T. Cuthbert, Devils Lake, Chairman, reported the organization of the following:

Minot District, including the counties of Ward, Bottineau and McHenry.

Williston District, including the counties of Williams, McKenzie and Mountrail, with the probability that Divide, Burke and Renville would be added later. The officers are Frank Fisk, President, and J. J. Murphy, Secretary.

Oakes District, including the counties of Dickey, Sargent, Richland, Ransom, LaMoure, Emmons, Logan and McIntosh. The officers are W. S. Lauder, President, and J. A. Heder, Secretary.

Devils Lake District, including the counties of Ramsey, Benson, Nelson, Cavalier, Towner and Rolette. The officers are F. T. Cuthbert, President, and Mack V. Traynor, Secretary.

The recommendation that the Committee on Local Organization be made permanent, and that it have supervisory powers over such organizations, was adopted.

HE WANTED TO SERVE

The case of *Kelley vs. Oregon*, 47 Supreme Court Reports 504, presented an interesting situation. Kelley was serving a sentence of 20 years and, in attempting to escape, killed a guard. He was sub-